

JAN 17 2006**CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS****NOT FOR PUBLICATION****UNITED STATES COURT OF APPEALS****FOR THE NINTH CIRCUIT**

KOLAWALE ADELABU,**Petitioner - Appellant,****v.****ALBERTO R. GONZALES;* et al.,****Respondents - Appellees.****No. 01-57011****D.C. No. CV-01-00003-MJL****MEMORANDUM****

KOLAWALE ADELABU,**Petitioner - Appellant,****v.****ALBERTO R. GONZALES, Attorney
General,****Respondent - Appellee.****No. 02-55468****D.C. No. CV-01-01432-POR**

**Appeal from the United States District Court
for the Southern District of California
M. James Lorenz, District Judge, Presiding**

* The court sua sponte changes the docket to reflect that Alberto R. Gonzales, Attorney General, is the proper respondent.

** This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

Submitted January 9, 2006***

Before: HUG, O'SCANNLAIN, and SILVERMAN, Circuit Judges.

Kolawale Adelabu appeals pro se from the district court's judgments denying three 28 U.S.C. § 2241 habeas petitions.

To the extent Adelabu challenges his detention, we dismiss the appeals as moot because Adelabu was removed to Nigeria on September 24, 2003. *See Picrin-Peron v. Rison*, 930 F.2d 773, 775 (9th Cir. 1991).

To the extent Adelabu challenges his removal proceedings, we construe Adelabu's § 2241 petitions as petitions for review. *See* 8 U.S.C. § 1252(a)(5); *Alvarez-Barajas v. Gonzales*, 418 F.3d 1050 (9th Cir. 2005). Because the Board of Immigration Appeals did not decide Adelabu's appeal until after Adelabu filed the instant § 2241 petitions, we dismiss the petitions for review for lack of jurisdiction. *See* 8 U.S.C. § 1252(d)(1); *Barron v. Ashcroft*, 358 F.3d 674, 677-78 (9th Cir. 2004).

DISMISSED.

*** This panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).